IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2498 OF 2004

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders	: Court's or Judge's Orders

Mr.Satyanarayan for the
Respondent No.2.

CORAM: S.R.Dongaonkar, J.
DATE : 22nd March, 2006.
P.C.:

1. Heard Shri Satyanarayan for the Respondent No.2.

2. This Petition is filed under the provisions of Section 482 of the Criminal Procedure Code for quashing the complaints being Complaint No.251/S of 1997 and the Complaint No.252/S of 1997 being clubbed and numbered as C.C.No.252/S of 1997 and to quash the order dated 6th November, 2004 and also dated 18th November, 2002 passed by the learned Metropolitan Magistrate, 13th Court,

Dadar, Mumbai.

3. In view of the order of this Court in Criminal Writ Petition No.743 of 2005, the Petitioner should have preferred revision application in the Sessions Court. The Petitioner wants to withdraw this Petition in view of the order passed in the aforesaid application. Hence, liberty is granted to the Petitioner to prefer necessary revision before the concerned Sessions Court.

4. The learned counsel appearing for the Petitioner makes a statement that necessary revision will be preferred within four weeks from today. In this view of the matter, the Trial Court shall not proceed with the trial for a period of four weeks from today.

5. As far as the limitation is concerned, looking to the above facts and circumstances, the learned

Sessions Judge to take sympathetic view.

6. On filing of the revision by the Petitioner, the Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

7. The Petition is allowed to be withdrawn subject to above observations. Bail if any, to continue.

(S.R.Dongaonkar, J.)